

Attorney Docket No. PP000154.206
2300-0154.01
PATENT

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By: _____

Anne Currier Carr

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

RALSTON et al.

Examiner: Myron G. Hill

Application No.: 09/929,782

Art Unit: 1648

Filed: August 13, 2001

Confirmation No.: 1144

For: ANTIBODIES TO HEPATITIS C VIRUS ASIALOGLYCOPROTEINS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Sir:

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- ☐ No copy of the publication _____ listed on the attached Form PTO/SB/08A are being provided because the Office waives the requirement under 37 C.F.R. 1.98 (a) (2) (i) for submitting a copy of each cited U.S. patent and each U. S. patent application publication for all U.S. national patent applications filed after June 30, 2003.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications

were previously cited by or submitted to the Office in prior Application Serial No. ____ to which the above-identified application claims priority under 35 U.S.C. §120.

- ☐ Publication(s) _____ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to _____ application serial no. _____ and mailed on _____.
- ☐ Enclosed is a copy of a non-English publication(s) _____. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) _____. English language publication ____ (copy enclosed) claims priority from this non-English publication.

This Information Disclosure Statement is filed within any one of the following time periods:

- ☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- ☐ before the mailing date of a first office action on the merits; or
- ☒ **before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. §1.114.**

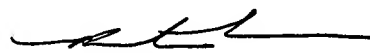
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: 12/19/05

Respectfully submitted,

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By:



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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known	
			Application Number	09/929,782
			Filing Date	August 13, 2001
			First Named Inventor	RALSTON et al.
			Art Unit	1648
			Examiner Name	Myron G. Hill
Sheet 1	of 3	Attorney Docket Number	PP00154.206 (2300-0154.01)	

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA				
	AB				
	AC				
	AD				
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	AF				
	AG				
	AH				
	AI				
	AJ				
	AK				
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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	BA	EP	0 318 216	A1	05/31/1989	Chiron Corp.		<input type="checkbox"/>
	BB	EP	0 320 267	A2	12/10/1988	Cell-Bio Group, Ltd.		<input type="checkbox"/>
	BC	EP	0 388 232	A1	09/19/1990	Chiron Corp.		<input type="checkbox"/>
	BD	EP	0 450 931	A1	10/09/1991	Chiron Corp.		<input type="checkbox"/>
	BE	EP	0 556 292	B1	12/29/1999	Chiron Corp.		<input type="checkbox"/>
	BF							<input type="checkbox"/>
	BG							<input type="checkbox"/>
	BH							<input type="checkbox"/>
	BI							<input type="checkbox"/>
	BJ							<input type="checkbox"/>
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	BL							<input type="checkbox"/>

Examiner Signature		Date Considered	
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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	09/929,782	
			Filing Date	August 13, 2001	
			First Named Inventor	RALSTON et al.	
			Art Unit	1648	
			Examiner Name	Myron G. Hill	
Sheet	2	of	3	Attorney Docket Number	PP00154.206 (2300-0154.01)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	U.S. Patent Application No. 07/504,352 entitled "Combinations of Hepatitis C Virus (HVC) Antigens for Use in Immunoassays for Anti-HVC Antibodies," filed April 4, 1990 (priority document of EP 0 450 931 A1), 58 pages.	
	CB	Communication of the European Patent Office in the Opposition to EP 0 556 292 B1, enclosing "Opposition to European Patent No 0 556 292," dated October 23, 2000, 48 pages.	
	CC	Letter from Carpmaels & Ransford to the European Patent Office in the Opposition to EP 0 556 292, regarding "Proprietor's Reply to Notice of Opposition," dated September 10, 2001, 8 pages.	
	CD	Communication of the European Patent Office in the Opposition to EP 0 556 292 B1, regarding "Preliminary Non-Binding Opinion of Opposition Division," dated August 1, 2002, 6 pages.	
	CF	Communication of the European Patent Office in the Opposition to EP 0 556 292 B1, entitled "Summons to Attend Oral Proceedings Pursuant to Rule 71(1) EPC," dated June 16, 2004, 3 pages.	
	CG	Communication of the European Patent Office in the Opposition to EP 0 842 947, entitled "Notice of Opposition to a European Patent," dated January 21, 2005, 17 pages.	
	CH	Darnell, et al., <u>Molecular Cell Biology</u> , Scientific Books, Inc., Freeman and Company, 41 Madison Ave., NY (1986), "Protein Glycosylation," pages 957-964.	
	CI	Hijikata, et al., "Gene Mapping of the Putative Structural Region of the Hepatitis C Virus Genome by <i>in vitro</i> Processing Analysis," Proc. Natl. Acad. Sci. USA (July 1991) 88:5547-5551.	
	CJ	Kukuruzinska, et al., "Protein Glycosylation in Yeast," Ann. Rev. Biochem. (1987) 56:915-944.	
	CK	Lok, et al., "Antibody Response to Core, Envelope and Non-structural Hepatitis C Virus Antigens: Comparison of Immunocompetent and Immunosuppressed Patients," Hepatology 18:497-502.	

Examiner Signature		Date Considered	
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Sheet	3	of	3	Attorney Docket Number	PP00154.206 (2300-0154.01)

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Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CL	Rosa, et al., "A Quantitative Test to Estimate Neutralizing Antibodies to the Hepatitis C Virus: Cytofluorimetric Assessment of Envelope Glycoprotein 2 to Target Cells," Proc. Natl. Acad. Sci. US 93:1759-1763.	
	CM	Smith, et al., "Synthesis of Proteins and Glycoprotein in Dengue Type 2 Virus-Infected Vero and <i>Aedes Albopictus</i> Cells," J. Gen. Virol. 66:559-571.	
	CN	Stohlman, et al., "Isolation of the Dengue Virus Envelope Glycoprotein From Membranes of Infected Cells by Concanavalin A Affinity Chromatography," J. Virology 18:132-140.	
	CO	Wensvoort, et al., "Immunoaffinity Purification and Characterization of the Envelope Protein of Hog Cholera Virus," J. Gen. Virology 71:531-540.	
	CP	Winkler, et al. "Studies on the Glycosylation of Flavivirus E Protein and the Role of Carbohydrate in Antigenic Structure," Virology 159:237-243.	

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